



March 16, 2020

***Via ECF***

The Honorable Ronnie Abrams, U.S.D.J.  
United States District Court for the Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

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Re: *United States v. Meli, et al*, Case No. 19-cr-480

Dear Judge Abrams:

We represent James Siniscalchi in the above-captioned matter. As the Court is aware, the trial in this matter was scheduled for April 20, 2020. We understand that in light of Chief Judge McMahon's March 13, 2020 Standing Order adjourning all trials scheduled to commence prior to April 27, 2020, the trial in this matter will need to be rescheduled. For the reasons set forth below, we write to respectfully request that the trial be rescheduled for mid-September 2020 or later. We further request that the deadline to file motions-in-limine, currently due on March 20, 2020, be adjourned to approximately one month prior to the new trial date.

Our request for a September trial is predicated on several grounds. First, last week, the government informed us that, out of an abundance of caution, it intends to produce a large volume of additional discovery containing evidence it will seek to introduce at trial. This additional discovery consists of all of the discovery the government produced to co-defendant, Joseph Meli, several years ago in connection with *United States v. Meli, et al.*, 17-cr-127 (the "2017 Discovery"). Mr. Siniscalchi was not a party to the 2017 action and to date the government has provided him no discovery from Mr. Meli's previous case. The government informed us it would seek to introduce a limited number of documents from Mr. Meli's 2017 criminal matter at Mr. Siniscalchi's trial in addition to establishing key dates relevant to the procedural history of that matter, such as Mr. Meli's arrest, Mr. Meli's change of plea hearing, and Mr. Meli's sentencing.

That said, the government has informed us that the entirety of the discovery it is producing is quite voluminous – approximately 1,000,000 documents. Obviously, it will take us a significant

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period of time to analyze the new discovery once we receive it.<sup>1</sup> We will also need to spend considerable time with Mr. Siniscalchi reviewing the new material, which, with the current health scare, may not be able to occur for some time. Once we review the new discovery, we may then have a motion to preclude the use of some or all of the evidence.

A mid-September trial date is also appropriate for this matter because counsel for Mr. Meli has a trial scheduled in late June 2020 that he believes will extend into July. In addition, counsel for Mr. Siniscalchi have previously planned, personal commitments in July and August 2020 that are immovable.

Accordingly, Mr. Siniscalchi respectfully requests that the Court adjourn both the pretrial submissions deadline of March 20, 2020 and the trial to a trial date in mid-September 2020 or later. We have spoken with counsel for co-defendant, Joseph Meli, and they consent to this request. We have also conferred with the government which consents to a reasonable adjournment of the trial and motions.

We are available at the Court's convenience for a conference should it need more information about Mr. Siniscalchi's request. Should the Court desire a conference, we propose a telephonic one given recent public health concerns.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'G Morvillo', written over a horizontal line.

Gregory Morvillo

Counsel for Defendant James  
Siniscalchi

cc: Micah Fergenson, Esq.  
Sarah Mortazavi, Esq.  
Cèsar de Castro, Esq.  
Valerie Gotlib, Esq.

Application granted. The trial is hereby adjourned to October 5, 2020. The final pretrial conference is scheduled for October 2, 2020 at 3:00 p.m. Pretrial submissions shall be due by August 28, 2020 and any responses shall be due by September 4, 2020. Time is excluded until October 5, 2020, under the Speedy Trial Act, pursuant to 18 U.S.C. Section 3161(h)(7)(a). SO ORDERED.

A handwritten signature in blue ink, appearing to read 'Ronnie Abrams', written over a horizontal line.

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<sup>1</sup> The government has offered to assist in focusing our review of the new evidence. Although we appreciate the offer, and will likely have discussions with the government on the matter, our obligations to Mr. Siniscalchi require us to review all of the material ourselves in the event that the production contains exculpatory evidence about which the government is unaware.